

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

RICHARD THORNTON, TERRIE C.
THORNTON, MEOSHIA N.
CAMPBELL, INDIVIDUALLY AND AS
NEXT FRIEND OF Q.W.L., JR., AND
T.L., MINORS;

SA-17-CV-01294-ESC

Plaintiffs,

VS.

WAYNE RANDALL STOCK, B&S TIRE
SERVICE, INC., GERALD TUMA,

Defendants.

ORDER FOR DISMISSAL WITH PREJUDICE

Before the Court in the above-styled cause of action is the “Motion for Non-Suit with Prejudice” filed by Counter-Plaintiffs Wayne Randall Stock, Gerard Tuma, and B&S Tire Service, Inc. [#77]. By their motion, Counter-Plaintiffs inform the Court that they no longer desire to prosecute their causes of action against Counter-Defendant Richard Thornton and move to voluntarily dismiss their counterclaims with prejudice and ask that costs be taxed against the party incurring same. The Court will grant the motion pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure and dismiss Counter-Plaintiffs’ claims with prejudice, as specified in their motion.

IT IS THEREFORE ORDERED that the Motion for Non-Suit with Prejudice filed by Counter-Plaintiffs Wayne Randall Stock, Gerard Tuma, and B&S Tire Service, Inc. [#77] is **GRANTED**.

IT IS FURTHER ORDERED that Counter-Plaintiffs Wayne Randall Scott, Gerard Tuma, and B&S Tire Service, Inc.'s claims and causes of action against Counter-Defendant Richard Thornton be **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that all costs are taxed against the party incurring same.

SIGNED this 23rd day of December, 2019.



ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE